NEW-YORK, FRIDAY, APRIL 10, 1868.

### Vol. XXVIII ..... No. 8,425.

# "NATIONAL WATCH COMPANY,"

"ELGIN" WATCHES.

GILES BRO. & Co.,

H. OPPANHEIMER & Co.

the gentine merits of the watches, which for the past year have been sold

change them for those of any other manufacture."

A veteran conductor on the same road, speaking of one of the watches

SECRETARY NATIONAL WATCH CO .- SIR: Some three months ago

Mr. E. H. Williams, Supt. Penn. Ceptral Railroad, handed me a Watch And I cheerfully testify that during a period of lifteen years, as Conduc tor of Passenger Trains, I have never had its equal for accuracy in keep ing time. During the three mouths I have carried it, I do not think i Age varied one minute. My impression is, that they are the best watches for correctness of time that are manufactured for railway use; at least G. M. ALEXANDER, Conductor Cincinnau Rr.

The few lines below, from Messrs. Reed & Co., are of value from their

NATIONAL WATCH COMPANY: Having sold some of your Watches and examined others now in use on the Penn. Central Rallroad, we can cheerfully recommend them as a superior Watch for Railway use, and a

Mr. Kinney has but few words, but they are to the point, and are

pleased wish it, for now I am always certain of having the correct time.

B. W. RAYMOND,

J. T. RYERSON.

LP NO MOVEMENTS RETAILED BY THE COMPANY.

principal Jobbers in Chicago, St. Louis and Cincipasti, and by the follow-

WHERLER, PARSONS & Co., No. 2 Maiden-lane, New-York, MIDDLETON & BRO., No. 16 Maides lane, New-York.

BUBINESS OFFICE and SALESROOM NATIONAL WATCH CO. No. 150 and 161 LAKE ST., CHICAGO,

### THE IMPEACHMENT TRIAL.

MASTER REMOVED WITHOUT THE SENATE'S INTENDED ONLY TO TEST THE VALIDITY OF UNABLE TO FINISH HIS ARGUMENT IN ONE

WASHINGTON, Thursday, April 9, 1868. The Senate met at noon to-day, as a High Court of Impeachment, after a recess of four days. The attendance in the galleries was very large. Every Senator Stewart's chair on the floor, and Thomas Ewing, senior, sat near him in Mr. Doolittle's seat. members of the House of Representatives, the trial proceeded. The Chief-Justice inquired whether the Managers desired to introduce further tesi nony, and Gen. Butler replied affirmatively, whereupon Mr. Wm. H. Wood of Tuscaloosa, Ala. was called. He testified that he came here in pursuit gett, who testified that he was commissioned postmaster of Augusta, Ga., in 1865, and was suspended from office by the President in January

under its provisions. He denied the position which tion was desired. But even if the act were applicable to Secretary Stanton's case, he held that the mere act of removal did not constitute a high crime or misdemeanor, unless it could be shown that it was willfully and maliciously done. The accusation was that the President knew Secretary Stanton's case to come within the scope of the law, but there was no proof of it. On the contrary, the proof was all the

After a recess of ten minutes, at 2:30 o'clock Judge Curtis resumed his argument, and continued it until 3:30, when, at his request, the Court adjourned. He will conclude to-morrow at about 2 o'clock, and then will conclude to-morrow at about 2 o cock, and then the President's counsel will introduce witnesses for the defense. The speech to-day was attentively lis-tened to by both floor and galleries. As a legal argu-ment it receives high praise from both sides of the chamber. His manner of address is not such as to interest an audience. He speaks slowly and deliber-ately but without warmth or feeling apparently, and ately, but without warmth or feeling apparently, and in this respect is quite in contrast with his opponent, Gen. Butler.

## THE TRIAL.

The Chief-Justice took the chair at noon. At 12:10 the Managers were announced. All appeared but Mr. Stevens. The counsel for the President were all promptly at their table. The House of Representatives entered

The CHIEF-JUSTICE-Have the Managers on the part of the House of Representatives any further evidence to

On motion of Senator JOHNSON, the further reading of the journal was dispensed with, when but little progress had been made.

Mr. BUTLER, on the part of the Managers, then called up W. H. Wood, who was sworn. w. H. Wood, who was sworn.

W. H. Wood of Alabama testified that he had served in
the Union Army, and had called on the President in December, 1866, in quest of Government employment.

Mr. CURTIS asked the design of this testimony.
Mr. BUTLER replied that the Managers intended to
prove by this witness the President's hostility to Congress.

gress.

Mr. Wood then narrated his conversation with the President, in the course of which the latter said he could not do anything for witness, as it appeared his influence was east on the side of Congress, and that his appointees must side with him.

On cross-examination by Mr. STANBERY, Mr. Wood testified that he had not said to a Mr. Keppel of Washington that his evidence would be more to the advantage of the President than in the interest of the Managers; had not been requested by the Managers to testify untruthfully.

Senate. In 1866 he received another commission. In January, 1868, he was suspended by the President, and does not know whether the Senate has been informed of

Mr. BUTLER then put in evidence the letter of Adjt.-Gen. Thomas, dated "War Department, Feb. 21, 1868," ac-knowledging his appointment as Secretary of War ad interim.

Mr. BUTLER said that he was instructed by the Managers to say that they would ask leave to put in a proper certificate from the records of the Senate to show that no report of the suspension of Foster Blodgett has ever been rade to the Senate

CHIEF-JUSTICE remarked that that could be put in at any time.

Mr. BUTLER then said, on the part of the Managers, "We close."
Mr. STANBERY—I ask the honorable Manager under what article this case of Blodgett comes?
Mr. BUTLER—In the final discussion I have no doubt that the gentleman who closes the case for the Managers will answer that question to your satisfaction.
Mr. STANBERY—I have no doubt of that myself. The question is why we are to be put to the trouble of answering it.

The CHIEF-JUSTICE remarked that the case was closed on the part of the Managers, and that there was no question before the Court on which this discussion result and the court of the court of the court of the case of the court of the case of the court of the case of the

COMES.

The CHIEF-JUSTICE—The Managers state that they have concluded their evidence. Gentlemen, counsel for the President, you will proceed with your defense.

Mr. CURTIS rose to open the case on the part of the President. He said:

Mr. CHIEF-JUSTICE AND SENATORS: I am here to speak

the proviso contains, applies to, and includes this case. Now let us see if it does. "The Secretary of State, the Secretary of the Treasury, etc., shall hold their offices, respectively, for and during the term of the President by whom they may have been appointed, and one mosth thereafter, etc." The first inquiry which arises on this language is this; as to what is meant by for and during the term of the President by show they may have been appointed." Mr. Stanton appears by the commission which has been put in the case by the honorable Managers to have been appointed during the first term of President Lucola, in January, 1862. Is this part of the language, daring the term of the President by whom they may have been appointed during the first term of President Lucola, in January, 1862. Is this part of the language, daring the term of the President by whom they may have been appointed, applicable to Mr. Stanton's case! That depends whether a person expounding this law judically bee any right to add to it, "and any other term for which he may afterward be elected." By what authority short of the legislative power can these words be added to the statute, "during the term of the President. Does a mean any other term or terms for which the President may be reflected! I respectfully submit hat no such judicial interpretation can be put upon to text. At the time when this order was issued for the President by whom he was appointed? The honosabe Managers say yes, because, as they say, Mr. Johnson's term. But is that so under the provisions of the Conscitution of the United States! I pray you to allow my to red one or two sentences that are exactly applicable to his question. The first is the list section of the second accele of the Constitution, which says:

"The Executive power shall be vested in a President effect years,

rem of the President for whom they may have been appeared, appreciate of the Nort, who heretard of state, and provided appeared to the president of the state of the president forms of the president in the president forms of the p

should be Executive Departments organized, the heads of which were to assist the Fresident in the assistantion of the laws; as well as by their advice, they were to be the hands and voice of the Fresident; and accordingly

thoremove him from the office, wholly independent of the nomination of his successor. Let me bring before your attention a case which happened recently within the knowledge of the Senate. We were on the eve of civil war, the Department was in the hands of a man who was disloyal, and unfaithful to his trust. His chief clerk, who on his removal or resignation, would come to the place, was in the same catgory as his master. Under these circumstances, the President of the United States said: "Mr. Floyd, I must have possession of the office." Mr. Floyd had too much good manners, or good something manners, the President put into the War Office Gen. Help of the Postmanter-General, without the delay of anything but immediately resign, and, misnelly, the President put into the War Office Gen. Help of the Postmanter-General, without the delay of anything without the delay of any of consistent of the very practice arising in all the Departments, and followed by this action, and we shall bring before you evidence snowing what these cases were, so that it will appear that, as long as officers held during the pleasure of the President, and wholly independent of the advice which he might receive from the Senate with reference to their removal, whenever there was an eccasion for it, the President used his power, whether the Senate was in session or not. I have now given the considerations applicable to the Penure-of-Office Act, and to those allegations, that the President violated knowingly the Constitution of the United States in the order for the removal of Mr. Stanton from office while the Senate was in session, the counsel for the President, advertibless, takes a broader view of the matter, and it is due to the President that it should be brought into Court, and that I now propose to open to your consideration. The Constitution of the United States, takes a broader view of the matter, and it is due to the United States to take care that the laws be faithfully executed, and is in good faith to the best of his solity preserv

by disregarding the asstances that not only is there no such rule of civil or moral duty, but that it may be, and has been, a high and patriotic duty in a citizen to raise a question whether a law is within the Constitution of his country. Will any man question the patriotiem or propriety of John Hampden's act when he brought the question before the Courts of England, whether ship noney was within the Constitution of England. Not only is there no such rule incumbent upon private citizens which forbids them to raise such questions, but let me repeat there may be, and often have been instances in which the highest patriotim and the purest civil and moral liberty required it. Let me ask any of you if you were a trustee for the rights of third persons, and if those rights of third persons, which they could not defend themselves by reason of perhaps sex for age, should be attacked by an unconstitutional law, should you not deem it you sacred duty to resist that law and have the question tried; and if a private trustee may be subject to such a duty, and impelled by it to such action, how is it possible to maintain that he who is a trustee for the people, with powers confided to him for their protection, for their percention, for their percention, for their percention, for their protection, for their percention, for their percention, for their protection, for their percention, for their protection, for their protection, for their protection, for their security, for their benefit, may not, in that character of a trustee, defond what has been thus committed to him. Do not let me be misunderstood upon this, I am not intending to advance upon or to occupy any extreme ground, because no such extreme ground has been advanced upon or is occupied by the President of the United States. He is to take care that the laws are faithfully executed. When a law has been passed through the forms of legisla

particular questions approach in their nature, and have the same recommendation that belongs to a law. Mr. Curis continued: In consequence of the decision made in 1739 with the tests which are here suggested by the writer, it will be found in the first place that the precise question was under discussion; secondly, that there was a deep sense of its importance, for it was seen that the degision was not to affect the few cases arising here and there in the course of the Government, but that it would enter deeply into its practical and daily administration. In the next place the determination was, so far as such determination could be entertained and carried into effect thereby, to fix the system for the future, and, in the last place, the men who participated in it must be admitted to have been exceedingly well qualified for their task. There is another role to be added to this which is also of very frequent application, and that is that a long-continued practical application of a decision of this character by those to whom the execution of a law is confided is of decisive weight. I will berrow again from Lord Coke—"Optimus Legum interpret constituted, practice is the best interpretar of the law." Now what followed this original decision? From 1759 down to 1857, every Senator, every President, and every Congress, participated in, and acted under the construction of the Government. In 1759, not only was the Government so conducted, but it was a subject sufficiently discussed among the people to bring to their consideration that such a question had existed, had been settled in this manner, and had been raised again from time to time. And yet, as everybody knows, they were so far from interfering with this decision, so far from expressing in any manner their disapprobation of the practice which had grown up under it; it is well known that all parties favored, and acted upon this system.

At this point, 2520, on motion of Mr. EDMUNDS, a re-

At this point, 220, on motion of Mr. EDMUNDS, a recess of 15 minutes was ordered.

After recess, the Court was, as, usual slow in reassemb-

At 2:45 o'clock, Senator MORRILL of Maine moved to

At this point, 1290, on motion of Mr. EDMUNDS, a recess of 15 minutes was ordered.

After recess, the Court was, as, usual slow in reassembling.

At 2:43 o'clock, Senator MORRILL of Maine moved to adjourn, and called the Yeas and Nays, which proved effectual in drawing in the absentees. Senators McCreery and Patterson of Tennessee only voted Yea-Senator McTrill himself voting Nay.

Mr. CURTIS continued, after recapitulating the point which he was discussing before the recess, as follows: This is a subject which has been heretofore examined and passed upon judicially in very numerous cases. I do not speak now, or course, of judicial decisions of this particular question which is under consideration—whether the Constitution has lodged the payer of removal in the President alone, or in the President and Senate, or has left it in part to the Logistative power—but I speak of the inducial exposition of such a practical construction of the Constitution of the United States, originating in the way in which this was confinited, and sanctioused in the way in which this was confinited, and sanctioused in the way in which this was confinited, and sanctioused in the way in which this was confinited, and sanctioused in the way in which this was confinited, and sanctioused in the way in which this was confinited, and sanctioused in the way in which this was confinited, and sanctioused in the way in which this was confinited, and sanctioused in the way in which this was construction for the Constitution, as to the power which the Legislature of the Constitution, as to the power which the Legislature had to assign to the Judges of the Supreme Court certain duties from that time down to the decision of the case of the Constitution, followed by which are construction of the Constitution. There has been a series of Judicial decisions on the fract of such a construction is not merely to give weight to an argument, but to fix an interpretation of the Constitution, followed by which are predicted in accordance with that is now a fixe